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DEPT. OF TRANSPORTATION

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February 7, 2000

ORIGINAL

Docket Clerk
Attention: Docket No.: **OST-99-6578** — 14
Department of Transportation
400 7th Street, Southwest, Room PL 401
Washington, D.C. 20590

TO WHOM IT MAY CONCERN:

I have one comment about the proposed rules for the Department of Transportation **49 CFR**, Part **40** revision I have reviewed the request for comment and I do not see where concerns about specimen temperature are addressed. As a Medical Review Officer and person concerned about safety and a drug-free workplace, I am concerned that individuals are able to cheat the surveillance system by submitting specimens that are not their own with temperatures between **90°** and **94°** Fahrenheit. I have reviewed some of the scientific literature with regard to this particular area and it strikes me that a significant percentage of individuals who submit specimens which are over **90°**, but less than **94°**, may be submitting specimens which are brought in and used to subvert the system of detection.

I would like to see the final rules address the issues of specimen temperature and, specifically, require specimens to be between **94°** and **100°** Fahrenheit in order to be accepted as genuine. I look forward to comments from other interested individuals for this particular concern.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell J. Green".

Russell J. Green, M.S., M.D.
Medical Director, Hillcrest **HealthWorks**

RJG/vb